

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

MUNA AL-SUYID, individually and on behalf of the estates of her family members ABDEL SALAM AL-SUYID, IBRAHIM AL-SUYID, KHALID AL-SUYID and MUSTAFA AL-SUYID, and ABDALLA AL-KRSHINY, AHMAD AL-KRSHINY, MAHMUD AL-KRSHINY, and IBRAHIM AL-KRSHINY, individually and on behalf of his family member ALI AL-KRSHINY and MUSTAFA AL-KRSHINY,

Plaintiffs,

V.

KHALIFA HIFTER,

Defendant.

Civil Action No.  
1:20-cv-00170-LMB-JFA

JULY 27, 2022

**PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANT'S  
MOTION TO TAKE JUDICIAL NOTICE AND STAY PROCEEDINGS**

Plaintiffs Muna al-Suyid, individually and on behalf of her family members Abdel Salam al-Suyid, Ibrahim al-Suyid, Khalid al-Suyid and Mustafa al-Suyid, and Abdalla al-Krshiny, Ahmad al-Krshiny, Mahmud al-Krshiny and Ibrahim al-Krshiny, individually and on behalf of their family members Ali al-Krshiny and Mustafa al-Krshiny (collectively “Plaintiffs”), respectfully request that this court deny Defendant’s Motion to Take Judicial Notice and Stay Proceedings.

In his Motion [Dkt. Nos. 215-217], Defendant refers to a joint statement made by nations with no control over the state of elections in Libya and to a meeting Defendant says he had with the acting Prime Minister of Libya, in arguing that this Court should reimpose a stay of this

litigation. However, the joint statement was made on June 24, 2022, over a month ago and on the same day Defendant filed his Objections to Magistrate Judge's Proposed Findings of Fact and Recommendations. [Dkt. 210-212.] And immediately after the Defendant allegedly met with the acting Prime Minister on July 19, 2022, renewed fighting broke out in Misrata. [Dkt. 216, 2-3.] See statement by the U.S. Embassy in Libya embedded below.



Defendant's argument that Libya is on the verge of holding a presidential election and that this litigation should be stayed so as to not interfere is therefore simply not supported by the current facts and circumstances in Libya. Most notably, no election has been scheduled.<sup>1</sup> Moreover, there is increased violence and civil unrest in Libya, including civilian casualties.<sup>2</sup> Further, the Defendant has offered no proof that he will be permitted to be a candidate in any future election.<sup>3</sup>

Finally, this motion to stay is obviously just another ploy by Defendant to escape the ramifications of his refusal to abide by this Court's procedures and orders, in particular the default judgment recommended by Magistrate Judge Anderson on his Proposed Findings of Fact and Recommendations issued on June 10, 2022 [Dkt. 209].

### **Conclusion**

For the reasons set forth above, Plaintiffs respectfully move this Court to deny Defendant's Motion to Take Judicial Notice and Stay Proceedings.

Dated: July 27, 2022

Respectfully Submitted,  
**WIGGIN AND DANA LLP**

By: /s/ Sarah E. York  
Sarah E. York (VSB #91188)  
Joseph G. Grasso (*pro hac vice*)  
Wiggin and Dana LLP  
800 17th Street, NW, Suite 520  
Washington, DC 20006  
[syork@wiggin.com](mailto:syork@wiggin.com)  
[jgrasso@wiggin.com](mailto:jgrasso@wiggin.com)

---

<sup>1</sup> Not only is this verifiable by a quick internet search, but the National Democratic Institute which tracks global election dates currently contains no information regarding an upcoming election in Libya: <https://www.ndi.org/elections-calendar?country=17635>. PDF attached as Exhibit 1.

<sup>2</sup> See <https://www.france24.com/en/africa/20220722-several-civilians-killed-in-militia-clashes-in-libyan-capital-tripoli>; see also <https://www.aljazeera.com/news/2022/7/25/civilians-in-crossfire-as-shifting-alliances-spark-libya-violence>. PDFs attached as Exhibits 2 and 3.

<sup>3</sup> See <https://abcnews.go.com/International/wireStory/libya-rival-officials-fail-agree-election-criteria-86004184>. PDF attached as Exhibit 4 with relevant excerpt highlighted.

Phone: 202-800-2482

Facsimile: 212-551-2888

**CERTIFICATE OF SERVICE**

I hereby certify that on July 27, 2022, I filed Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion to take Judicial Notice and Stay Proceedings with the Clerk of Court using the CM/ECF system, which will then send notification of such filing (NEF) to the following:

Jesse R. Binnall (VSB #79292)  
BINNALL LAW GROUP, PLLC  
717 King Street, Suite 200  
Alexandria, Virginia 22314  
jesse@binnall.com  
Phone: (703) 888-1943  
Fax: (703) 888-1930

Lindsay R. McKasson (VSB #96074)  
BINNALL LAW GROUP, PLLC  
717 King Street, Suite 200  
Alexandria, Virginia 22314  
lindsay@binnall.com  
Phone: (703) 888-1943  
Fax: (703) 888-1930

Jason C. Greaves (VSB #86164)  
BINNALL LAW GROUP, PLLC  
717 King Street, Suite 200  
Alexandria, Virginia 22314  
jason@binnall.com  
Phone: (703) 888-1943  
Fax: (703) 888-1930

*Counsel for Defendant*

/s/ Sarah E. York  
Sarah E. York  
*Counsel for Plaintiffs*